

## **REMARKS**

Claim 22 is objected to for informalities. Claims 1-14 and 35-37 stand rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Claims 1, 3-5, 8, 10, 11, 22, 24-26, 29, 31, 32, 35, and 38 stand rejected under 35 U.S.C. § 102(b) as anticipated by USPN 5,590,199 to Krajewski et al. (hereinafter Krajewski). Claims 2, 7, 9, 14-18, 20, 21, 23, 28, 30, 34, 36, 37, 39, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Krajewski. Claims 6, 13, 19, 27, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Krajewski in view of USPN 5,627,967 to Dauerer et al. (hereinafter Dauerer). Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Krajewski in view of USPN 7,089,265 to Jain et al. (hereinafter Jain).

For the Examiner's convenience and reference, Applicants' remarks are presented in substantially the same order in which the corresponding issues were raised in the Office Action. Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references.

Applicants thank the Examiner for the telephone interview of May 21, 2007. We discussed a proposed amendment to clarify the function of the proposed amendment. We also discussed whether distinctions could be found between passwords and encrypted keys in the specification. Applicants have amended the claims following the pattern of the proposed amendment, as well as reviewing the other art listed in the information in the office action of

March 1, 2007.

Amendments to the Claims.

Applicants have amended claim 1, 8, 15, 29 to with limitations fully supported by the specification that a remote system sends a first password to a target system and the target system sends an encryption key to the remote system in response to the first password. Page 18, ¶ 60; fig. 2, refs. 102, 104, 204, 206. In addition, the claims are amended with the limitations that the encryption key and a second password are sent from the remote system to an authorization module, the authorization module creating a third key in response to identification of a remote user, the encryption key, and the second password. Page 20, ¶ 68, fig. 2, refs. 208, 206, 210, 216. The remote user then sends the third password from the remote system to the target system to establish a remote communication connection between the remote system and the target system in response to receiving the third password from the remote system. Page 21, ¶ 72.

Claims 4, 5, 9-11, 26, 30, and 32 are amended to conform with amended claims. Applicants have amended claim 22 with the limitation of claim 25 that the authorization module is physically remote from the target system. Claim 25 is amended to conform to the amendment of claim 22.

Response to objections to claims.

Claim 22 is objected to for informalities. Applicants have amended claim 22 as requested to cure the informality.

Response to rejections of claims under 35 U.S.C. § 101.

Claims 1-14 and 35-37 stand rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Applicants have amended claims 1, 6-8, 13, 14, 19, 35, and 37 to specify that each module comprises "...executable code stored on a storage device and executed by a processor..." The amendment is well supported by the specification. See page 10, ¶ 30 – page 11, ¶ 31.

The Commissioner has stated "...that computer programs embodied in a tangible medium, such as floppy diskettes, are patentable subject matter under 35 U.S.C. § 101 and must be examined under 35 U.S.C. § 102 and 103." *In re Beauregard*, 53 F.3d 1583, 1584 (Fed. Cir. 1995). Applicants submit that as amended, claims 1, 6-8, 13, 14, 35, and 37 are directed to programs embodied in a tangible medium, and are therefore statutory. Applicants further submit that claims 2-5, 9-12, and 36 are directed to statutory subject matter as depending from allowable claims.

Response to rejections of claims under 35 U.S.C. § 102.

Claims 1, 3-5, 8, 10, 11, 22, 24-26, 29, 31, 32, 35, and 38 stand rejected under 35 U.S.C. § 102(b) as anticipated by Krajewski. Applicants respectfully traverse this rejection.

As amended, claims 1, 8, 22, 29, 35, and 38 include the limitations that a remote system sends a first password to a target system and the target system sends an encryption key to the remote system in response to the first password. In addition, the encryption key and a second

password are sent from the remote system to an authorization module. The authorization module creates a third password in response to identification of a remote user, the encryption key, and the second password, and sends the third password to the remote system. A remote user then sends the third password from the remote system to the target system to establish a remote communication connection between the remote system and the target system in response to receiving the third password from the remote system.

The passwords and encryption keys of the present invention and the authentication information of Krajewski may be referred to as “secrets” for comparison. Thus in the present invention, the remote user must possess both a first and a second secret. The remote user receives a key secret from the target system in response to the first secret. The remote user then uses an identification, the second secret, and the key secret to obtain a third secret from the authorization module. The remote user uses the third secret to gain access to the target system.

In contrast, Krajewski teaches sending a first secret to a smart card. Krajewski, Abstract. The smart card authenticates the first secret and creates a second secret that is sent to a workstation and on to a network to give the user access to the network. Krajewski, Abstract. The user need only possess one secret while the smart card possesses another secret. Krajewski, Abstract.

Because Krajewski does not teach a first and second secret used by the remote user, the remote user receiving a key secret using the first secret, the remote user obtaining a third secret using the second secret, an identification, and the key secret, and accessing the target using the third secret, Applicants submit that claims 1, 8, 22, 29, 35, and 38 as amended are allowable.

Applicants further submit that claims 3-5, 10, 11, 24-26, 31, and 32 are allowable as depending from allowable claims.

Response to rejections of claims under 35 U.S.C. § 103.

Claims 2, 7, 9, 14-18, 20, 21, 23, 28, 30, 34, 36, 37, 39, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Krajewski. Claims 6, 13, 19, 27, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Krajewski in view of Dauerer. Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Krajewski in view of Jain. Applicant respectfully traverses these rejections.

Claim 15 is amended with limitations similar to claims 1, 8, 22, 29, 35, and 38. As discussed above, Krajewski does not teach a first and second secret used by the remote user, the remote user receiving a key secret using the first secret, the remote user obtaining a third secret using the second secret, an identification, and the key secret, and accessing the target using the third secret. Applicants therefore submit that claim 15 is allowable. Applicants further submit that claims 2, 6, 7, 9, 12-14, 16-21, 23, 27, 28, 30, 33, 34, 36, 37, 39, and 40 are allowable as depending from allowable claims.

Conclusion.

As a result of the presented remarks, Applicants assert that the application is in condition for prompt allowance. Should additional information be required regarding the traversal of the rejections of the claims enumerated above, Examiner is respectfully asked to notify Applicants of

such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

/Brian C. Kunzler/

Brian C. Kunzler  
Reg. No. 38,527  
Attorney for Applicant

Date: June 1, 2007  
8 East Broadway, Suite 600  
Salt Lake City, UT 84111  
Telephone (801) 994-4646  
Fax (801) 531-1929